

AO 91 (Rev. 11/11) Criminal Complaint

## UNITED STATES DISTRICT COURT

for the  
District of New Mexico

United States of America

v.

Enrique Munos-Sausedo

Case No.

20-1290MJ

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 8, 2020 in the county of Hidalgo in the  
District of New Mexico, the defendant(s) violated:

## Code Section

21 U.S.C. § 841 (a)(1)

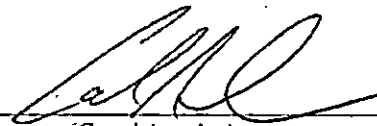
21 U.S.C. § 846

## Offense Description

Knowingly, intentionally and unlawfully; manufacture, or distribute, or dispense or possess with intent to manufacture, distribute, or dispense a controlled substance; to wit approximately 65.68 kilograms of marijuana, a schedule 1 controlled substance, in violation of Title 21 USC 841 (a)(1); and knowing, intentionally and unlawfully conspire and agree with others to possess with intent to distribute approximately 65.68 kilograms of marijuana, a schedule 1 controlled substance, in violation of Title 21 USC 846.

This criminal complaint is based on these facts:

See attached Affidavit, which is marked Attachment "A," and which is incorporated by reference as if fully set out herein.

☒ Continued on the attached sheet.

Complainant's signature

Cole Akard, DEA Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 07-10-2020City and state: Las Cruces, New Mexico

KEVIN R. SWEAZE

U.S. MAGISTRATE JUDGE

Printed name and title

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ATTACHMENT "A"

**AFFIDAVIT**

I, Cole Akard, Affiant, being duly sworn, state that the following information is true and correct to the best of my knowledge and belief:

The following information is based upon information provided to me by other agents and is presented as probable cause to arrest Enrique Munos-Sausedo. Since this affidavit is being submitted for the limited purpose of establishing probable cause, your Affiant has not included each and every known fact regarding this investigation. More specifically, your Affiant has set forth only pertinent facts that your Affiant believes are necessary to establish probable cause.

Your Affiant knows that on or about July 8, 2020, at approximately 7:00 p.m., Border Patrol Agents (BPAs) Levi Reynolds and James Croft, were performing regular Horse Patrol duties in zone 41 of the Lordsburg, New Mexico Border Patrol Station area of responsibility, which is south of Animas, NM. BPA Croft observed signs of foot traffic consistent with four to five individuals. These foot signs included a running W, a tennis shoe with concentric circles in the forefoot and the heel, a lug pattern, and a tennis shoe with small circles around the perimeter of the heel. BPA Croft observed the footprints walking northbound next to a silo, which is located west of the caves on County Road 1 at approximately the mile 21 post. BPA Croft continued to search the area north of the silo while BPA Reynolds searched the immediate surrounding area. BPA Reynolds had observed footprints approximately 5 yards south of the silo in a southbound direction that matched the same footprints that BPA Reynolds observed at the silo.

BPA Reynolds continued following the footprints and after moving approximately 100 yards south, BPA Reynolds located 3 large burlap backpacks concealed in the mesquite brush along with 2 bags of food and several water bottles. The 3 large burlap bundles had an odor consistent with the smell of marijuana and the packaging was consistent with the packaging used by drug traffickers in the area.


The 3 large burlap backpacks were seized at approximately 7:05 pm, and subsequently, transported to the Lordsburg Border Patrol Station to be processed. The contents of the 3 large burlap backpacks was field tested and tested positive for the presumptive characteristics of marijuana. When weighed, it was determined that the amount of marijuana seized was approximately 65.68 gross kilograms.

At approximately 10:04 pm, agents located a single adult Hispanic male within a close proximity from where the 3 large burlap backpacks were discovered. Agents observed strap marks on the shoulders and under the arms of the Hispanic male, who was later identified as Enrique Munos-Sausedo. These marks are consistent with carrying a heavy backpack for a long period. The footprints of Sausedo matched the footprints agents previously observed while performing Horse Patrol duties. Agents observed Sausedo to be wearing the running W shoe, a running style shoe with a specific patterned tread which was observed and followed to the area where the bundles were concealed.


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Subsequently, your Affiant contacted AUSA Richard Williams with the details and AUSA Williams approved prosecution for Enrique Munos-Sausedo on 21 USC 841 (a) (1) possession with intent to distribute approximately 65.68 gross kilograms of marijuana and 21 USC 846 conspiracy to distribute approximately 65.68 gross kilograms of marijuana.

Dated this 10th day of July, 2020.

  
\_\_\_\_\_  
Cole Akard  
DEA Special Agent

SUBSCRIBED and SWORN to before  
me this 10th day of July, 2020.

  
\_\_\_\_\_  
KEVIN R. SWEAZE  
U.S. MAGISTRATE JUDGE